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CORPORATE REAL ESTATE

SEPT 01 1998

Melissa D. Vaughn
REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

Detroit Edison Overhead and Underground Easement (Right of Way) No. 181867

On SEPT. 1st, 1998, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area."

"Grantor" is:

David S. Kettlewell and Laura L. Kettlewell, husband and wife, 1433 Colorado Ave., Marysville, MI 48040

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

"Grantor's Land" is in **Marathon Township, Lapeer County, Michigan** described as:

Parcel H: Part of the Southeast 1/4 of Section 11, T9N-R9E, Marathon Township, Lapeer County, Michigan, described as beginning at a point that is South 02° 14' 38" West 533.00' along the East section line, and North 87° 45' 22" West 100.00', and on a 400.00' radius curve to the left 191.54', central angle 27° 26' 10", and chord bearing and distance South 78° 31' 33" West 189.72', and on a 400.00' radius curve to the right 191.54', central angle 27° 26' 10", and chord bearing and distance South 78° 31' 33" West 189.72', and North 87° 45' 22" West 426.11' from the East 1/4 corner of Section 11, thence continuing North 87° 45' 22" West 21.54', thence on a 600.00' radius curve to the left 188.50', central angle 18° 00' 00", and a chord bearing and distance South 83° 14' 38" West 187.72', thence South 74° 14' 38" West 76.83', thence North 01° 18' 39" West 693.51' to the East-West 1/4 line of Section 11, thence South 86° 59' 58" East 331.43' along said East-West 1/4 line, thence South 03° 00' 02" West 634.74' to the point of beginning.

The "Right of Way Area" is a part of Grantor's Land and is described as:

A 12' wide easement as shown on Exhibit "A", which is attached hereto and made a part hereof.

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
- 2. Access:** Grantee has the right of access to and from the Right of Way Area.
- 3. Buildings or other Permanent Structures:** No buildings or other permanent structures are allowed in the Right of Way Area without Grantee's prior written consent.
- 4. Excavation:** Under 1974 Public Act 53, you must call MISS DIG (1-800-482-7171) before excavating in the Right of Way Area.
- 5. Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in The Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences can be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee will not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
- 6. Restoration:** If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee will restore Grantor's Land as nearly as can be to its original condition.
- 7. Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.

(2) Witnesses: (Type or print name below signature)

X William A. McWhirter
WILLIAM A. MCWHIRTER

X Paul J. McWhirter
Paul J. McWhirter

Grantor: (Type or print name below signature)

David S. Kettlewell
David S. Kettlewell

Laura L. Kettlewell
Laura L. Kettlewell

Acknowledged before me in SEP 01 1998 County, Michigan, on Oakland County, 1998, by David S. Kettlewell and Laura L. Kettlewell, husband and wife.

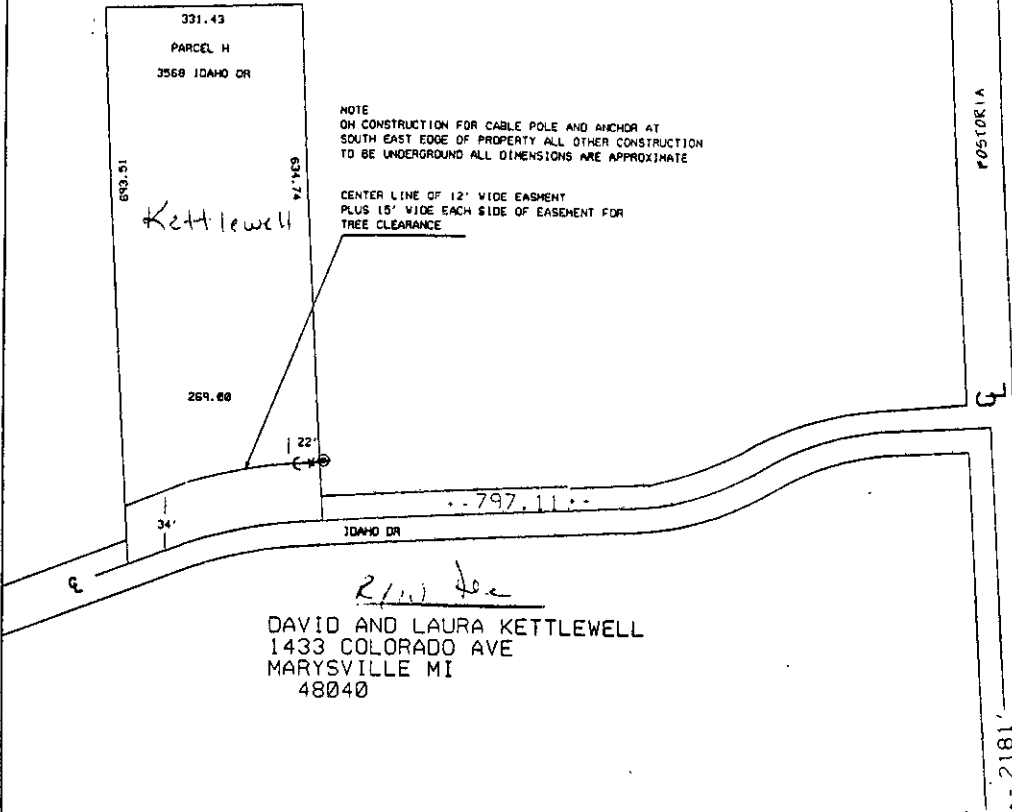
Notary's Stamp: **J. WARREN**
Notary Public, Oakland County, Michigan
My Commission Expires Jan. 02, 2001

Notary's Signature: J. Warren

(Notary's name, county, and date commission expires)

RECORDED R/W FILE NO. R591414

REPORT OF PROP WAY DEPARTMENT INDICATED ON THIS SKETCH	AND RIGHTS OF SECURED AS	PERMITS TO:
BY _____		RECORD CENTER _____
DATE _____	9-11-98	R/W FILES _____
DATE WANTED _____		MBT _____
DISTRICT FIELDMAN _____		ORIGINATOR _____
		TOTAL _____



DAVID AND LAURA KETTLEWELL
1433 COLORADO AVE
MARYSVILLE MI
48040

SEC • 11
T9N R9E



JPL 181867/4

EXHIBIT A

LEGEND ○ EXIST. D.E.CO. POLE ● PROPOSED POLE ○ FOREIGN POLE ○ EXIST. ANCHOR ○ PROPOSED ANCHOR ○ TREE --- 120/240 V LINE --- 4800 V LINE --- 13,200 V LINE --- 40,000 V LINE	THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
	CITY OR TWP.	COUNTY	TWP SEC QTR	DEPT. ORDER NO.
	MARATHON	LAPEER	11	
	MAP SECT.	TOWN	RANGE	JOINT R/W REQ'D
	253-622	9N	9E	
	PROJECT NAME	TEL. ENGR. & DIST.		MBY MEMO#
	KETTLEWELL			
	TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY
MTN	LAP	UC		
CIRCUIT	O.F.W.			
8089 RUSH				
REASON	BUDGET ITEM NO.			
NEW RES				
PLANNER	SCALE	DATE		
CLIFF AMEY	1" = NONE'	8-19-98		

R59474

RECORDED IN W FILE NO.